

The ITPM now seeks to supplement the record on appeal with three documents that were never filed in district court: an email from the Mississippi Department of Human Services (MDHS) to the ITPM, the ITPM's 2024 financial management plan, and a letter from MDHS to the ITPM. Mot. at 2–3. None of these documents are part of the record on appeal under Federal Rule of Appellate Procedure 10(a). Thus, the documents were not “omitted from or misstated in the record by error or accident,” and it is not appropriate to supplement the record with these documents under Federal Rule of Appellate Procedure 10(e)(2). *See Hall v. Hoke*, 471 F. App'x 269, 270 (5th Cir. 2012) (per curiam) (“[Appellant] may not supplement the record pursuant to Federal Rule of Appellate Procedure 10(e)(2) with evidence that was not presented to the district court.”).

For the foregoing reason, the United States opposes the ITPM's motion.

Respectfully submitted,

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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/s/ Angela Mo
ANGELA MO (CA Bar No. 262113)
KARL FINGERHOOD (PA Bar No. 63260)
Senior Counsel
Environmental Enforcement Section
Environment and Natural Resources Division
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611
Tel: (202) 514-7519
Fax: (202) 616-2427
Email: Karl.Fingerhood@usdoj.gov
Angela.Mo@usdoj.gov

TODD GEE
United States Attorney for the

Southern District of Mississippi

ANGELA GIVENS WILLIAMS (MS Bar No. 102469)

Chief, Civil Division

MITZI DEASE PAIGE (MS Bar No. 6014)

Assistant United States Attorney

United States Attorney's Office

501 East Court Street, Suite 4.430

Jackson, Mississippi 39201

Tel: (601) 965-4480

Email: AWilliams4@usa.doj.gov

mitzi.paige@usdoj.gov

Counsel for Plaintiff the United States of America